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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re: )  
 ) CASE NO.: 11-10834-LED  
 ) CHAPTER 13  
GENEVA STARK MERWIN )  
(Deceased) )  
 )  
 )  
 )  
Debtor(s). )

**EX-PARTE MOTION TO WAIVE THE REQUIREMENT TO FILE DEBTOR'S  
CERTIFICATE OF COMPLIANCE PURSUANT TO LR 5009(c)(2)**

Boris Avramski, Esq., from Avramski Law, PC, attorney for deceased Debtor, GENEVA STARK MERWIN, moves this Court for an order waiving the LR 5009(c)(2) requirement for Debtor to file a Certificate of Compliance.

**STATEMENT OF FACTS**

1. On January 21, 2011, Debtor filed the instant Chapter 13, Case Number BK-S-11-10834-LED.
2. On April 27, 2015, Debtor's Modified Chapter 13 plan #3 was confirmed.
3. Debtor made her payments as provided in her Modified Chapter 13 plan #3.
4. On June April 12, 2016, Debtor passed away at the age of 98. *See* Suggestion of Death (Doc. # 131).
5. On June 21, 2016, Debtor's attorney filed a Motion for Hardship Discharge (Doc #133).
6. Debtor's attorney was unable to file Debtor's Certificate of Compliance simultaneously with the motion, because the Debtor was deceased and could not

1 execute the certificate.

2 7. The Motion for Hardship Discharge (Doc #133) was heard and granted on August  
3 10, 2016.

4 8. An order granting the Motion for Hardship Discharge (Doc #133) and discharging  
5 Debtor was entered on August 31, 2016 (Doc #145).

6 9. On August 31, 2016, the Clerk of this Court filed a NOTICE OF REQUIREMENT  
7 TO FILE DEBTOR'S CERTIFICATE OF COMPLIANCE WITH CONDITIONS  
8 RELATED TO MOTION FOR HARDSHIP DISCHARGE TOGETHER WITH  
9 NOTICE THEREON (Doc #146).

10 10. Debtor is unable to comply with this requirement because she is deceased.

11 NOW, THEREFORE, upon good cause shown, Debtor's attorney, Boris Avramski,  
12 Esq., hereby requests an Order waiving the requirement to file a Certificate of Compliance  
13 pursuant to LR 5009(c)(2), and for such other and further relief as is deemed necessary.

14 Dated this 7<sup>th</sup> day of September, 2016.

15 AVRAMSKI LAW, PC

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17 /s/Boris Avramski  
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